Remarks/Arguments

Claims 2, 4-14, 17 and 19-24 are pending in this application. Of these, claims 2, 17 and 21 are independent claims.

In the Office Action, the Examiner rejected claim 2 under 35 U.S.C. 103(a) as unpatentable over Blount et al. (U.S. Patent No. 6,070,184) in view of Thompson et al. (U.S. Patent No. 7,114,158). The Examiner also rejected claims 2-5, 8-11, 13-19 and 21 under 35 U.S.C. 103(a) as upatentable over Lev Ran et al. (U.S. Publication No. 2004/0255048) in view of Baber et al. (U.S. Patent No. 6,658,485) [Note: the latter reference was presumed to have been intended, given that the Examiner's referenced "Barber et al. US 6,654,487" does not exist].

In response, the Applicant has amended claim 2 in several respects. Firstly, a limitation was added to reflect the two alternative modes of execution of the transaction server, the first being a clustered mode wherein the transaction server is scaled across multiple machines, the mode being a non-clustered mode wherein the transaction server runs on a single machine. This amendment is supported in the application as filed, e.g. at paragraphs [0106]-[0111] (as published) and in FIGS. 11A and 11B. Secondly, the limitations of former claim 3 (now cancelled) have been promoted to claim 2 and modified slightly based on disclosure at paragraph [0106]. Thirdly, a limitation was added to specify that a location of the locking mechanism is dependent upon whether the transaction server is executing in clustered mode or non-clustered mode. This amendment is supported in FIGS. 11A and 11B.

The Applicant submits that, in view of the amendments to claim 2, that claim now recites features which are not shown in the art of record. As a result, no *prima facie* case of obviousness now exists against claim 2 as amended.

In particular, no cited reference teaches or suggests a transaction server having two alternative modes of execution, the first being a clustered mode wherein the transaction server is scaled across multiple machines, the mode being a non-clustered mode wherein the transaction server runs on a single machine. Moreover, no cited reference teaches or suggests a locking mechanism whose location is dependent upon whether the transaction server is executing in the clustered mode or the non-clustered mode.

In view of the foregoing, it is submitted that claim 2 is patentably distinct over the art of record. Reconsideration is requested.

Claims 17 and 21 are server and computer readable medium claims (respectively) corresponding to method claim 2 and were rejected based on the Lev Ran et al. and Baber et al. references. The Applicant has amended these claims in a similar fashion to claim 2. Certain features added to claim 17 were formerly in claim 18, now cancelled. The amendments to claim 21 find further support at paragraph [0076] as published. The Applicant's arguments regarding claim 2 are equally applicable to these claims. Accordingly, the Applicant respectfully requests that the rejections of claims 17 and 21 also be withdrawn, for the same reasons.

Given that the independent claims distinguish over the cited art, the remaining claims, which depend from the independent claims, also distinguish over the art of record.

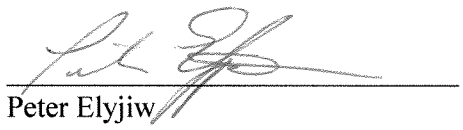
New dependent claims 22-24 have been added. Claim 22 is supported at paragraph [0111] of the description. Claim 23 is supported in FIG. 11A. Claim 24 is supported in paragraph [0107]. None of the features of these claims are known to be taught or suggested in any of the cited references. This further contributes to the patentability of these claims.

Claim 10 has been amended in view of the cancellation of claim 3 and for consistency with amended claim 2 and new claim 22.

No new matter is believed to have been added by any of the amendments described above.

In view of the foregoing, favorable reconsideration and allowance of the application are earnestly solicited.

Respectfully submitted,



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